

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

CRANE CO., ET AL.,

vs.

SANDENVENDO AMERICA,
INC., ET AL.

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CASE NO. 2:07-CV-042

ORDER

The court grants the defendants' motion to limit the number of patent claims asserted by the plaintiffs (#26). In this case, the plaintiffs have asserted 118 claims against SandenVendo and 128 claims against Royal Vendors. The defendants contend that preparing invalidity charts for each of these claims places them under undue burden, especially since the plaintiffs have already indicated their plans to narrow the number of asserted claims during the pendency of this action. The court agrees with the defendants.

The purpose of the patent rules is to streamline and narrow the triable issues in the case. The practice of asserting an unreasonably large number of patent claims serves to obfuscate the more material issues in the case, and effectively undermines the purpose of the patent rules. Therefore, the court grants the defendants' motion, and orders the plaintiffs to limit the total number of asserted claims in this case to 50 per defendant. The plaintiffs are given leave to serve amended infringement contentions within 20 days that reflect this reduced number of asserted claims. The defendants are given leave to file amended invalidity contentions within 20 days of service of the plaintiffs' amended infringement contentions.

SIGNED this 15th day of August, 2008.



CHARLES EVERINGHAM IV
UNITED STATES MAGISTRATE JUDGE